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LAS VEGAS DEVELOPMENT GROUP, LLC

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8 UNITED STATES DISTRICT COURT
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10 DISTRICT OF NEVADA

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LAS VEGAS DEVELOPMENT GROUP, LLC,)
a Nevada limited liability company,)
Plaintiff,) Case No. 2:15-cv-00917-GMN-NJK
vs.)
2014-3 IH EQUITY OWNER, LP, a Delaware)
limited partnership; BANK OF AMERICA,)
NA, a National Banking Association;)
MERIDIAN FORECLOSURE SERVICE, a)
California corporation; THR NEVADA II, LP a)
Delaware limited partnership; THR)
PROPERTY BORROWER, LP, a Delaware)
limited partnership; THR PROPERTY)
GUARANTOR, LP, a Delaware limited)
partnership; THR PROPERTY HOLDCO, LP, a)
Delaware limited partnership; 2014-3 IH)
PROPERTY HOLDCO, LP, a Delaware limited)
partnership; 2014-3 IH BORROWER, LP, a)
Delaware limited partnership; GERMAN)
AMERICAN CAPITAL CORPORATION, a)
Maryland corporation; CHRISTIANA TRUST,)
an unknown business entity; DOE individuals I)
through XX; and ROE CORPORATIONS I)
through XX,)
Defendants.)

STIPULATION TO DISMISS AS TO BANK OF AMERICA, N.A.

COMES NOW Plaintiff, LAS VEGAS DEVELOPMENT GROUP, LLC, and Defendant,
BANK OF AMERICA, N.A., by and through their undersigned counsel, and hereby stipulate and

1 agree as follows:

- 2 1. The instant action is primarily a quiet title action related to real property
3 commonly known as 7832 Marksville Street, Las Vegas, Nevada 89149, Assessor
4 Parcel No. 125-18-512-079 ("the "Property"). Defendant, Bank of America,
5 N.A. ("BANA") formerly held a deed of trust recorded against the Property in the
6 Official Records of the Clark County Recorder as Instrument No.
7 200701050001709 ("First Deed of Trust").
- 8 2. The Property was the subject of a homeowners association lien foreclosure sale
9 dated June 7, 2011 ("HOA Foreclosure Sale"). Plaintiff purchased the Property
10 at the time of the HOA Foreclosure Sale. Thereafter, Meridian Foreclosure
11 Service purported to foreclose upon the First Deed of Trust on December 3, 2012
12 ("Bank Foreclosure Sale"). Defendant, THR Nevada II, LP purported to
13 purchase the Property at the Bank Foreclosure Sale and on December 21, 2012, a
14 Trustee Deed was recorded in the Official Records of the Clark County Recorder
15 as Instrument No. 201212210003995, purportedly vesting title to the Property in
16 the name of THR Nevada II, LP. The Property was thereafter the subject of a
17 number of transfers before eventually being conveyed back to THR Nevada II, LP,
18 which currently continues to possess record title.
- 19 3. BANA does not currently claim to possess any interest in the Property.
- 20 4. Plaintiff and BANA have entered into a confidential settlement agreement which
21 resolves Plaintiff's claims related to the Property as to BANA only.
- 22 5. Pursuant to the parties' settlement agreement, the instant action shall be dismissed
23 as to BANA only, with each party bearing its own attorneys' fees and costs. No
24 other claims remain pending against BANA and its dismissal will relieve it of
25 further obligation to participate in this action as a party defendant.

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6. This Stipulation is made in good faith and not in order to prejudice any party.

Dated this 2nd day of June, 2022.

**ROGER P. CROTEAU &
ASSOCIATES, LTD.**

AKERMAN LLP

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Bank of America, N.A.

IT IS SO ORDERED.

Dated this 3 day of June, 2022

Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of June, 2022, I served via the United States District Court CM/ECF electronic filing system, the foregoing **STIPULATION TO DISMISS AS TO BANK OF AMERICA, N.A.** to the following parties:

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